



Atty. Dkt. No. 085449-0158

TDR
RCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Karin Butz *et al.*
Title: PEPTIDES FOR INDUCING APOPTOSIS IN TUMOR CELLS
Appl. No.: 10/519,539
International Filing Date: 7/1/2003
371(c) Date: 3/15/05
Examiner: Laura B. Goddard
Art Unit: 1642
Confirmation No.: 3633

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. **Submission required under 37 C.F.R. §1.114:** (check items that apply)

a. Previously submitted:

[] Please enter and consider the amendment and/or reply previously filed on ____.

11/28/2008 SMOHAMME 00000036 10519539

01 FC:2801
02 FC:2853

405.00 OP
555.00 OP

- [] Please consider the Affidavit(s)/Declaration(s) previously filed on __ but not considered.
- [] Please consider the arguments in the Appeal Brief or Reply previously filed on __.
- [] Other _____.
- b. Enclosed are:
- [X] Amendment/Reply.
- [] Affidavit(s)/Declaration(s).
- [] Information Disclosure Statement.
- [] Form PTO/SB/08 with copies of __ listed reference(s).
- [] Other .

Miscellaneous:

- [] Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of __ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals	
RCE Fee 1.17(e):				\$810.00	= \$810.00	
Total Claims:	6	-	36 = 0	x \$52.00	=	\$0.00
Independents	1	-	3 = 0	x \$220.00	=	\$0.00
First presentation of any Multiple Dependent Claims:			+ \$390.00	=		\$0.00
				CLAIMS FEE TOTAL:	=	\$810.00

[X] Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$130.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$490.00	\$0.00
[X]	Extension for response filed within the third month:	\$1,110.00	<u>\$1,110.00</u>
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,730.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,350.00	\$0.00
	EXTENSION FEE SUBTOTAL:		<u>\$1,110.00</u>
	EXTENSION FEE ALREADY PAID:	-	<u>\$0.00</u>
	EXTENSION FEE TOTAL		<u>\$1,110.00</u>
	CLAIMS AND EXTENSION FEE TOTAL:		<u>\$1,920.00</u>
[X]	Small Entity Fees Apply (subtract ½ of above):		<u>\$960.00</u>
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)		\$0.00
	TOTAL FEE:		<u>\$960.00</u>

A credit card payment form in the amount of \$960.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date November 26, 2008
 FOLEY & LARDNER LLP
 Customer Number: 22428
 Telephone: (202) 295-4726
 Facsimile: (202) 672-5399

By Simon J. Elliott
 Simon J. Elliott
 Attorney for Applicant
 Registration No. 54,083